

REMARKS

Claim 1 has been amended as required by the Examiner to remove informalities. Withdrawal is respectfully requested.

Claims 1-4 and 10-13 stand rejected under 35 U.S.C. §102(b) as being anticipated by Call et al. Applicants respectfully traverse this rejection because the cited reference does not disclose (or suggest) the features for obtaining the measured inclination and the pre-measured inclination in the same drive instruction amount range, as described in claims 1 and 10.

The present invention relates to an optical storage apparatus including, among other things, a control unit which measures an inclination of the relationship between a drive instruction amount and a detection of an APC detector, and judges the abnormalities of the APC detector by comparing the pre-measured inclination of the relationship between the drive instruction amount and the detection output of the APC detector with a measured inclination. The measured inclination and the pre-measured inclination are obtained in the same drive instruction amount range (see Fig. 9).

The Call et al. reference relates to a detection of end-of-life of light emission laser diode in an optical disk device (see Abstract). The method of Call et al. utilizes a phenomenon in which a power curve of the light emission diode changes in a higher power level due to aging of the light emission diode.

As shown in Fig. 3 of Call et al. (and described in column 3, line 39 to column 4, line 21), three different drive currents $I_1 \sim I_3$ applied to the laser diode and each power $P_1 \sim P_3$ of the laser diode are measured by the outputs of the APC detector. Then a lower slope S_1 is calculated by using P_1 and P_2 , and a higher slope S_2 is calculated by

using P2 and P3. The ratio of the slopes S1 and S2 is calculated and compared with a predetermined threshold. If the ratio is over the predetermined threshold, the laser diode is judged to be at the end-of-life (see column 5, lines 1-19).

As described above, the Call et al. reference discloses a detection of end-of-life of light emission laser diode. The reference teaches that the linear slope of the characteristic curve at the high power level is compared to the linear slope at low power levels, and when the comparison exceeds predetermined criteria, a flag is raised. In contrast, the present invention detects an abnormality in an APC detector, and compares the pre-measured linear slope with the measured linear slope at the same drive instruction amount range. This feature is not disclosed (or suggested) in Call et al. For this reason, claims 1 and 10 and their respective dependent claims are allowable over Call et al.

For all of the above reasons, Applicants request reconsideration and allowance of the claimed invention. The Examiner should contact the undersigned if a telephone conference would expedite prosecution.

Respectfully submitted,

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